



July 21, 2011

Dear Representative:

On behalf of the Healing Our Waters<sup>®</sup>-Great Lakes Coalition, we write to urge you to oppose Sec. 459 (Ballast Water Management Regulations) in the Interior-EPA Appropriations Bill (H.R. 2584). This provision would prohibit Great Lakes states from receiving any EPA funding – including funding through the Great Lakes Restoration Initiative, Superfund, Clean Water or Drinking Water State Revolving Funds, Brownfield funding, etc. – if they have in effect ballast water rules that have more stringent timelines or standards than federal or international requirements.

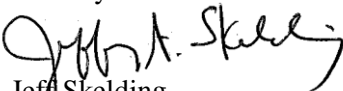
This provision penalizes states for adopting long-overdue restrictions that try to stop the introduction and spread of harmful invasive species. Ship ballast is the primary pathway for the introduction and spread of aquatic invasive species, which cause tremendous damage in their new homes. They feed on and out-compete native species, foul beaches, degrade fisheries, clog water intake pipes and other infrastructure, disrupt the food chain, and contaminate drinking water. A Cornell University study estimated that aquatic invasive species' total damage and control costs in New York and the Great Lakes Basin exceed \$5.7 billion per year. For decades, the commercial shipping industry has been allowed to dump ballast water teeming with “living pollution” at Great Lakes and coastal ports without strong federal standards to prevent it from causing harm.

We support unified federal regulations that set the strongest ballast water discharge standards implemented as quickly as possible to protect the Great Lakes from invasive species. But we are not there yet, and states continue to play an essential role in spurring on the development of federal ballast regulations and treatment technologies.

New York, which has been at the forefront of developing protective ballast discharge standards, will clearly be impacted. This provision's ambiguity, however, means it could apply to other Great Lakes states, stripping them of all their EPA funding for having any requirements—including timelines—that are more stringent than what the federal government is proposing. This could include Wisconsin, Ohio, Illinois, Indiana, and Minnesota, all of which have required that existing IMO technologies be in use on vessels by deadlines that will likely be more stringent than what the Coast Guard will require in their still pending ballast rulemaking. Michigan could also be threatened by this legislation if the state determines that technologies that have been approved by the Coast Guard are not safe for use in Michigan waters.

We urge you to oppose Sec. 459 that threatens to strip Great Lakes states of essential federal funding for exercising their own state authority to protect their waters from invasive species. Please do not hesitate to contact Chad Lord at (202) 454-3385 or [clord@npca.org](mailto:clord@npca.org) with questions.

Sincerely

  
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Campaign Director

  
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